

### **REMARKS**

In the January 27, 2005 Office Action, claims 1-9 and 11-35 stand rejected in view of prior art. Claims 1, 3, 4, 6, 8, 9, 14, 17, 19, 23 and 24 were objected to because of formalities.

#### ***Status of Claims and Amendments***

In response to the January 27, 2005 Office Action, Applicant has amended the claims as indicated above. Thus, claims 1-35 are pending, with claims 1, 23 and 34 being the only independent claims. Reexamination and reconsideration of the pending claims are respectfully requested in view of above amendments and the following comments.

#### ***Election of Species***

Applicant respectfully requests that non-elected claim 10 be rejoined in this application upon allowance of generic claim 1.

#### ***Claim Objections***

In paragraph 2 of the Office Action, claims 1, 3, 4, 6, 8, 9, 14, 17, 19, 23 and 24 were objected to for informalities. In response, Applicant has amended the claims to correct the typographical errors and to provide proper antecedent basis. Withdrawal of the objections is respectfully requested.

#### ***Rejections - 35 U.S.C. § 102***

In paragraph 3 of the Office Action, claims 1-4, 9, 11, 13-23, 25, 28-31, 34 and 35 stand rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 382,658 (Nickerson). In response, Applicant has amended independent claims 1, 23 and 34 to clearly define the present invention over the prior art of record.

In particular, independent claims 1, 23 and 34 recite that the reinforcement members are located entirely exteriorly of the spoke attachment portion. This structure is *not* disclosed or suggested by Nickerson or any other prior art of record. It is well settled under U.S. patent

law that for a reference to anticipate a claim, the reference must disclose each and every element of the claim within the reference.

Nickerson discloses a rim 3 and a tire-groove D. A nut 6 and bushing 7 are located in an hollow area between the tire-groove D and the rim 3, in the rim 3 itself and exteriorly of the rim 3. Accordingly, the nut 6 and bushing 7 are not located *entirely* exteriorly of the hollow area. For at least these reasons, Applicant respectfully submits that claim 1, as now amended, is not anticipated by the prior art of record. Withdrawal of this rejection is respectfully requested.

Moreover, Applicant believes that the dependent claims are also allowable over the prior art of record in that they depend from independent claims 1, 23 and 34, and therefore are allowable for the reasons stated above. Also, the dependent claims are further allowable because they include additional limitations. Thus, Applicant believes that since the prior art of record does not anticipate independent claims 1, 23 and 34, neither does the prior art anticipate the dependent claims.

Applicant respectfully requests withdrawal of the rejections.

***Rejections - 35 U.S.C. § 103***

In paragraph 5 of the Office Action, claim 24 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Nickerson.

Applicant believes that dependent 24 is allowable over the prior art of record in that it depends from independent claim 23, and therefore is allowable for the reasons stated above. Also, the dependent claim is further allowable because it includes additional limitations. Thus, Applicant believes that since the prior art of record does not disclose or suggest the invention as set forth in independent claim 23, the prior art of record also fails to disclose or suggest the inventions as set forth in dependent claim 24.

In paragraph 6 of the Office Action, claims 1-9, 11-17, 19-23 and 25-34 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 1,722,855 (Owen et al) in view of U.S. Patent No. 6,443,533 (Lacombe et al). In response, Applicant has amended independent claims 1, 23 and 34 as mentioned above.

More specifically, independent claims 1, 23 and 34 now clearly recite that the through opening of the reinforcement member has an inner diameter that is configured and arranged to allow a spoke to be adjustably and releasably coupled thereto. Clearly this arrangement is *not* disclosed or suggested by the Owen et al and Lacombe et al combination or any other prior art of record. It is well settled in U.S. patent law that the mere fact that the prior art can be modified does *not* make the modification obvious, unless the prior art *suggests* the desirability of the modification.

Owen et al discloses a wheel with reinforcing ferrules *c* secured to a felloe portion *g* of a rim *b*. The spokes *a* are secured to the reinforcing ferrules *c* by a spigot, which extends into the tubular spoke *a*. The spokes *a* are secured to the reinforcing ferrules *c* by rivets or spotwelding. The spokes *a* of Owen et al are permanently fixed to the reinforcing ferrules *c*. Thus, Owen et al does not disclose a through opening of a reinforcement member having an inner diameter that is configured and arranged to allow a spoke to be *adjustably and releasably coupled* thereto.

Lacombe et al does not remedy this deficiency. Lacombe et al does not disclose a through opening of a reinforcement member having an inner diameter that is configured and arranged to allow a spoke to be *adjustably and releasably coupled* thereto.

Accordingly, the prior art of record lacks any suggestion or expectation of success for combining the patents to create Applicant's unique bicycle rim.

More specifically, if the devices of the Owen et al and Lacombe et al combination were some how modified to meet the claims of the present invention, it would require a complete reconstruction of the apparatus, which would destroy the teaching of the references.

Moreover, Applicant believes that the dependent claims are also allowable over the prior art of record in that they depend from independent claims 1, 23 and 34, and therefore are allowable for the reasons stated above. Also, the dependent claims are further allowable because they include additional limitations. Thus, Applicant believes that since the prior art of record does not disclose or suggest the invention as set forth in independent claims 1, 23 and 34, the prior art of record also fails to disclose or suggest the inventions as set forth in the dependent claims.

Therefore, Applicant respectfully requests that this rejection be withdrawn in view of the above comments and amendments.

***Prior Art Citation***

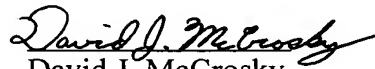
In the Office Action, additional prior art references were made of record. Applicant believes that these references do not render the claimed invention obvious.

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Reply to Office Action of January 27, 2005

***Conclusion***

In view of the foregoing amendment and comments, Applicant respectfully asserts that claims 1-35 are now in condition for allowance. Reexamination and reconsideration of the pending claims are respectfully requested.

Respectfully submitted,

  
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